PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

(OFFICIAL REPORT.)

SECOND ASSEMBLY,

SECOND SESSION.

Friday the 26th November 1937/11th Vrischikam 1113.

The Assembly met again in the Victoria Jubilee Town Hall at ten of the clock with Sachivottama Sir C. P. Ramasvami Aiyar, K. C. I. E., the Dewan President in the Chair.

MOTION TO EXPRESS NO CONFIDENCE IN THE DEPUTY PRESIDENT.

MR. T. M. VARUGHESE (*Deputy President*): Sir, yesterday I was at the subject-matter of the speech delivered by me at Alleppey. In the course of my speech. I attempted to show that there I did not say or do anything in my capacity as Deputy President. I may today further add that I did not say anything which would gain support or strength by the fact of my being the Deputy President. In fact nothing which I would not or could not have said even if I were not the Deputy President of the House did I say on the occasion. Nothing which would have been improper for me to say if I were not the Deputy President did I attempt to say. These statements I now make are based on facts and not on inference. Then what exactly I said is the next point that may come up for consideration. I mentioned in the course of my speech yesterday that during the interval that elapsed between the release of Mr. Kesavan from jail and the date of the Alleppey meeting, there was an informal discussion between him and some of his friends including myself as to the attitude that he was to adopt in respect of his future activities. It was then suggested and agreed upon by all concerned that he should, to the extent of the power that was in him and to the extent of the opportunities available to him, try to create an atmosphere of good will among the various sections of the people. It was with this impression in my mind that I went over to Alleppey and there rose to welcome him in my speech. I did want to invite him and I did invite him to this task. Whether he was competent to do it or not is a matter of personal opinion. I felt he was competent to do it and therefore I thought there was no impropriety in welcoming him to undertake this task on behalf of all the people in the country. There was nothing more and nothing less than that in the sentiments expressed in my speech welcoming Mr. Kesavan in that meeting. There was no case of my arrogating to myself any representative capacity,

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[Mr. T. M. Varughese.]

The person welcomed and his capacity were kept in view and not the person who welcomed and his status. The question whether I was entitled to welcome him or not, did not arise in my mind and in the circumstances of the case would not have arisen in the mind of anybody who was present at that meeting. The purpose for which I welcomed him was one which according to me affected all the people. To my mind it appeared that there was nothing improper or irregular in welcoming him for a task which according to me would be beneficial to all the sections of His Highness' subjects. If that speech is read as a whole, this idea, which I gave expression to now, will be found very clearly expressed in it. Without distinction of caste, colour or cread, he was invited to work in the field of his public activities. Previously, it is known to all that Mr. Kesavan was confining his attention to some sections of the people in his political activities. It was suggested and agreed upon as I expressed here at the outset—that he should, to the extent to which it was possible for him, extend his activities further and include within the range of such activities all the people of the country at least for the purpose of trying to create among them an atmosphere of good-will. That being the message that I had to give him, and that being the purpose with which I welcomed him, the question whether I welcomed him in the capacity of Deputy President or not could not legitimately arise. It was certainly in my private capacity that I did it. It was certainly as a friend of Mr. Kesavan and as one who knows him and his activities and inclinations intimately, that I welcomed him. Whatever be the motives and reasons that actuated me to do so, arrogating to myself some authority which I did not possess was not one of them. I did not intend to use the position of the Deputy President for the purpose and therefore could not have abused it. The reasons for the statements I made and the circumstances under which I made them being as I explained them I do not think I need add anything further in regard to what I meant to say and did say. Even when, after a long interval, there arose some occasion for me, very probably not unconnected with a rumoured no confidence motion to read my speech as reported in some of the papers, I did not personally think that there was anything demanding correction. Whether the words are capable of any other interpretation or not, to my mind, it is perfectly clear that the expressions used by me as reported in the papers are capable of the meaning that I intended to convey; and even otherwise I maintain that there is nothing objectionable in the idea or language. Some honourable members remarked that when occasion arose to correct the so called wrong impressions created by my speech, I did not choose to do so. My answer is that there was no mistake committted by me or brought to my notice. There was therefore no need or occasion for any correction. As a matter of fact, the accusations that were levelled against me in some of the newspapers, did not come to my notice. The question then arises whether, even if they had come to my notice, I would have chosen to refute them by

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some statements in the newspapers. When I really did not intend to say anything irregular or improper, when my intention in regard to what I said was absolutely clear leaving no room for misinterpretation, and when in any view of the case, my language and the idea conveyed thereby were to my mind absolutely unobjectionable, the fact that I did not choose to correct a deliberately false accusation in respect of my statements cannot be attributed to me as a dereliction of duty unless legally or morally in my public or private capacity it behoved me to correct it. If the speech that I delivered—at any rate the report of the speech that I delivered—at Quilon is read along with my Alleppey speech as reported in the papers, it will be found that the subject of my attention was only the person welcomed and not the person who welcomed. There was no case of arrogating to myself any power which did not belong to me. If honourable members of this House would kindly read the reported speech leisurely, it will be found that when I repeated that there was no impropriety in welcoming Mr. Kesavan *for* all people, I did not say that there was no impropriety in *my* welcoming Mr. Kesavan. Evidently therefore the only issue raised was about Mr. Kesavan's claim to be the recipient of a welcome and not about mine to give. But here the claim of the person who welcomed him is made the subject-matter of the present discussions. What was intended to be conveyed and *was* conveyed was that there was no impropriety in welcoming Mr. Kesavan. It did not matter if A or B welcomed him. By a perusal of my Quilon speech reported in the papers what the honourable members of the House would find is that I only repeated on that occasion that there was no objection or impropriety in welcoming Mr. Kesavan. The propriety or otherwise of the welcome with reference to the status of the person welcoming him was, to my mind, beside the point. I argue this point at length not for the purpose nor with the hope of influencing the honourable members' decision. I do so because I feel I have a duty to tell this Honourable House, now that I am called upon to do it, what exactly I said and why, what I wanted to convey and what exactly I thought I was conveying by the expressions I used. If it is made a matter of detailed argument and evidence I do not believe this House will be in a position to go into it in that manner. It might be possible to adduce evidence or advance detailed arguments or put in written statements and counter statements in support of a position. But I am sure the hon'able members would not deem such a course desirable. Therefore it was that yesterday I affirmed that the best authority to speak as to what my intention and meaning was myself. Beyond that, it may not be possible for me to proceed in the matter of convincing the hon'able members of the House as to what my stand was when I gave expression to the words of welcome to Mr. Kesavan at Alleppey and when I repeated the same sentiment at Quilon.

One word more in regard tothe comments which appeared in some of the papers about my speech in question. I adverted to the circumstance that those comments were not all brought to my notice in time. Even if they were all brought to my notice, I admit I am

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[Mr. T. M. Varughese.]

constitutionally disinclined to controvert all the adverse comments occurring in newspapers, particularly so when I feel the comments are deliberately malicious. It should not be understood that I do not care for newspaper comments or that I think it beneath my dignity to take note of such comments. That certainly is not my attitude. I shall, with your permission, Sir, cite a small instance, an instance which though small I am sure some of the hon'able members of this House will agree is sufficiently significant and relevant for our present purpose.

In a case which I conducted before the Session's Judge at Quilon, Mr. Kesavan's case, I mean, it would appear that the learned Judge made certain remarks in the judgment about my conduct in the case. There was just one point on which the learned Judge differed from me. I tried to show, by means of a question to a witness in the box that there were traces of a mark on a particular bit of paper. The witness to whom I showed the bit of paper, although in other respects was inclined to favour my side, said, after examining the bit of paper, that he could not find any trace of any mark on it. There I thought the matter had ended. But, in the course of the judgment, the learned Judge seemed to have thought it fit to say that my attempt to suggest that there was the trace of a mark where there was none was not in keeping with the morality of the profession. I dare say the honourable members would agree that that was a statement which affected me very much in my capacity as a legal practioner. But I was prepared to rely upon the dictates of my conscience; I took shelter in the cleanness of it. I did not think it necessary even to appeal to the Honourable High Court to have the portion in the judgment expunged. No doubt when, in the usual course, the case went up to the High Court, the Honourable Judges of the High Court went through the records, and, of their own accord without any petition from me, held in their judgment that the remarks in the judgement of the Session's Judge so far as they related to me were an unwarranted expression of opinion, and expunged the remarks. As a prelude, as it were, to this no confidence motion one of our newspapers while recommending that serious steps should be taken against me for my Alleppey speech observed as an additional reason for that course, that I had in connection with the conduct of the case referred to above, *effaced* certain marks from some record with a view to help the accused, Mr. Kesavan. The honourable members may realise that the above accusations published in the paper coupled with the adverse remarks relating to this matter are absolutely unfounded.

PRESIDENT: Is it really necessary to go into that matter now?

MR. T. M. VARUGHESE: I merely wanted to illustrate to the House the attitude I adopted in connection with a publication closely connected with the matter now under discussion. My ordinary attitude in regard to adverse comments occurring in newspapers, even when such comments are calculated to prejudicially affect me may thus be seen. To my mind it appears that it may not always be possible, and some times not necessary, to correct all adverse comments occuring in newspapers.

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I am just submitting this as the reason why I may not have chosen to correct the adverse remarks which have appeared in some newspapers about my speeches at Alleppey and at Quilon.

Sir, I am glad to point out that it is not now suggested that I expressly said anything in my capacity as Deputy President or that I gave expression to any sentiment in that capacity. I may again affirm that it was never my intention to avail myself of that position or to take any advantage of that circumstance, in associating myself with the reception accorded to Mr. Kesavan.

I know more than anybody else that there is one section in this House which does not sympathise with the aspirations and activities of the Joint Political Congress and of the communities sought to be represented by that Congress. There are newspapers and journals that are definitely hostile to the activities of the Joint Political Congress. I know that fact more than anybody else. The whole world, so far as our country is known, knows it. Mr. Kesavan, as is well known, was taking a leading part in the activities of the Joint Political Congress. In such activities he certainly has not the sympathy, co-operation and admiration of some sections of the public of Travancore. Therefore, when I welcome Mr. Kesavan it cannot for a moment be imagined that I arrogated to myself the task or the responsibility or the credit of representing in respect of the sentiments I expressed about Mr. Kesavan all the 51 lakhs in Travancore. In the nature of things, that cannot be. I only invited him for the purpose of effecting some reconciliation by creating an atmosphere of good-will among the various sections of the public of Travancore. I am sure the hon'able members of this House will credit me with ordinary intelligence and a fair knowledge of the conditions obtaining in Travancore. Therefore when I made the statement in question it is not fair to allege that I made it arrogating to myself the responsibility of representing the 51 lakhs of people. In no view of the case could it be construed that I represented the 51 lakhs of people. Even by extolling the Deputy President's office to the highest position imaginable, it cannot be shown that he has got the non-official capacity for exclusively representing the 51 lakhs of people. If the argument is that, because this House is composed of the representatives of the 51 lakhs of people and because this House has elected me, I may be said to be the representative of the 51 lakhs of people, by a sort of delegation as it were, that argument, I submit, is wrong; because the Legislature in Travancore is composed of two Houses; and the members of the other House had absolutely no hand in electing me as Deputy President of the Assembly. Therefore, I submit, in no view of the case, either by inherent authority or by delegation expressly or impliedly vested in me can it be imagined that as the Deputy President of the Assembly I could represent the 51 lakhs of people. It is therefore clear, I submit, that I did not intend and could not have intended to represent all the 51 lakhs on the strength of any authority express or implied.

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[T. M. Varughese.]

Just a word about the constitutional aspect. I shall not dilate upon it. Various aspects of it have been placed before the House. I shall not refer to them in detail. There is just one aspect which I want to place before this House. As I incidentally remarked yesterday, it has been practically conceded that there is no convention yet established in this House with regard to the conduct of the Deputy President; and if there has been any, it is that he should be allowed considerable latitude in regard to his activities outside, political or otherwise, and even inside the House, he is to have absolute discretion in the matter of his opinion as a member. He is free to have or to express his own views and vote as he chooses. I know instances in which the Deputy President even resented being referred to as Deputy President in regard to his utterances outside the Chair, meaning thereby that whatever he does or says outside the Chair, though inside the House should not be interpreted as done or said in the capacity of Deputy President. That principle must apply with greater force to what he said or did outside the House, The hon'able members did not thereafter refer to him as Deputy President in regard to what he said or did outside the Chair. I do not lay undue stress on that circumstance nor do I draw therefrom any definite conclusion as to the extent of the latitude open to the Deputy President inside the House or outside, But that is certainly a significant circumstance. It is now practically conceded that there has been no convention of any kind against my position. If there has been anything approaching to a convention or precedent it is definitely in support of my position.

It is now clear that in regard to the Deputy President's activities outside the House there has been no definite convention. There is no rule, there is no regulation and there is no standing order prohibiting him from excercising his absolute discretion in the matter or anything dictating to him what exactly he should or should not do or say It is no doubt open to this House hereafter to consider what sort of Deputy President the House should have and what the limitations that should be placed upon him are. Then it will be open to the Deputy President, whoever he be—leave alone my case—to decide for himself whether, in conformity with the conventions existing, with the rules laid down, with the laws bearing on the subject, with the standing order dealing with the matter and with the general sense of the House, he can remain as Deputy President in conformity with his sense of duty to himself and the public. If with open eyes he accepts such a place he is certainly bound down by all those limitations. But I am not. In the history of no legislature and in the record of no convention you could find, I submit, Sir, an instance in which any resolution, any rule or any convention or precedent was braought into existence with retrospective effect in a matter of this kind. If I were told or had occasion to know at the time I was elected as Deputy President that a convention of the kind now brought to be established

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was even likely to be brought into existence I would have had the option of accepting or refusing to accept the position with opan eyes. Without that, as I incidentally observed yesterday, if this Hon'ble House propose to pass a decision on this matter solely for the purpose of creating a convention, this House will be putting the cart before the horse and I am sure the cart cannot go. If they are called upon to legislate or to make rules not with reference to but for the purpose of applying to past events, I am sure the good sense of the hon'ble members of this House will revolt against it. It is open to the hon'ble members of this House, to the extent of the power that is legally vested in them to frame rules, make regulations, to pass resolutions on this subject and to point out to the Deputy President whether it be myself or somebody else, his limits a transgression of which will be visited with the prescribed penalties. The first information that I got from this House on this matter was a no-confidence motion of which notice was served on me in the usual course. This House, I would submit, Sir, can never say that in spite of intimation or warning given to me something irregular, something improper or something illegal was persisted in by me. I should not be misunderstood as being anxious to retain the place of Deputy President; nor should it be taken that, even if intimation or warning were given to me, I would have desisted from the course I adopted. But the hon'ble members of this House if they dispassionately consider the question, have certainly to take account of that circumstance. It is absolutely immaterial whether Mr. T. M. Varughese is in the Chair or not. But in creating a convention and in regulating our conduct in regard to a person elected by this House as its Deputy President we have to be guided by certain fundamental principles. From an absolutely disinterested stand point I feel that if in violation of these fundamental principles or for any extraneous considerations this House were to make any decision, we shall all be guilty of having sacrificed the prestige and violated the integrity of this House.

One word more in regard to some of the observations that were made by some of my friends. I have already indicated at the outset that I do not in the least feel embarassed or perturbed at this event. A friend of mine incidentally remarked to me two days ago that there was not much room for honesty or sincerity in politics. I contradicted him at the time and I would continue to keep to my own view of the matter. Even as a matter of policy honesty will pay in politics more than dishonesty or unscrupulousness. I would invite the attention of this House to the mischief likely to be created by the unwarranted and uncalled for assertions that a particular section of this House alone is loyal and that another section is disloyal.

PRESIDENT: The Honourable member would have noticed that I have striven to keep out the question of wider political issues. It may be that certain sentiments which I might have checked then and there, may have escaped the Hon'able member, But the hon'able member would be the first to realise that it has been the attempt of the Chair to keep out further discussions on wider topics.

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MR. T. M. VARUGHESE: I bow to the ruling of the Chair and would try to keep within limits in regard to any observations that I may hereafter make.

Coming again to the subject of the discussions here so far as they affect me I feel contrained to make one or two points clear. If in the interests of the public I am called upon to make any sacrifice I would honestly try to make it without any hesitation, whether the sacrifice relates to the Deputy President's place or something more. I would invite the attention of the Honourable members of this House to the truth that our loyalty depends not on the loudness of our assertions but on the amount of sacrifice that each one is prepared to make on that ground. I would therefore, without adverting to any extraneous circumstance invite the attention of the hon'able members of this House to the very important fact that we, as the elected representatives of the people of this country have a responsibility to the country; more than that, we have a responsibility to His Highness the Maharaja. I say that with a full sense of the responsibliity that lies in me and I am perfectly conscious of the full implications of the statement that I make. I suggest to the hon'able members that no sacrifice of any kind is expected of us by His Highness the Maharaja for His Highness personally. The only sacrifice we may be called upon to make, on the ground of our loyalty, is in the direction of our efforts at creating concord and promoting harmony among the people. Whether as the Deputy President or as an ordinary member of this House or in my private capacity, I will always be prepared in all reasonable ways to co-operate with the other hon'able members in that field. I do not in the least want to magnify the importance of the event before us or even remotely to draw the attention of the hon'able members to the repurcussions of a decision unfavourable to me. Certainly not. I may again assure the House that my personal feeling on that matter is one of absolute unconcern. All that I desire is to avail myself of this opportunity to invite the attention of the hon'able members of this House to the unhealthy atmosphere that is now existing here and elsewhere and to the necessity for our bestowing due attention upon essentials for the purpose of creating harmony without which we can have neither the prosperity nor the progress which our country urgently requires and richly deserves.

Before I close, I think it is my duty to express my very sincere thanks to all the hon'able members of this House for the considerate and courteous manner in which they chose to refer to me and my activities. To the House including the President my special thanks are due for the latitude that has been allowed to me to place before the hon'able members my aspect of the case in full. I need hardly repeat that the matter is left in their hands for their dispassionate decision. Whatever be the decision, I shall, during the remaining part of my period as a member, continue my good feelings to the House collectively and to the members individually and strive to enhance the usefulness of the House.

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PRESIDENT : As I am afraid that the proceedings might be prolonged beyond 11 O'clock I am asking the advice of this House to decide whether they will give themselves one hour more for this purpose provided that, if necessary and in order not to curtail non-official business we may sit a little later this evening. If that will meet the wishes and desires of the honourable members of the House I shall deal with the time from now up to 12 O'clock as also devoted to official business in relation to this and certain other matters. I should like to ascertain the sense of the House. If they do not disagree I shall take that they assent.

Under Standing Order 24 the President has the right to address the Assembly and I propose to avail myself of that right so that certain matters which are still somewhat obscure may be clarified and so that the position of Government and of the President in this matter may be perfectly made plain. It would have been an easy task, it would have been a facile business, if the President or the Head of the Government were at this juncture, as he was entitled to do, to sit tight in his seat and ask for a vote of the House on this matter. But to do so involves in my opinion an abdication both of a right and of a duty, a right as President to expound what I consider should be the rule and the practice governing a case like the present and also the duty to see that the future of the House, that the reputation of the House, that the traditions of this House are maintained, enhanced and set in the proper perspective. Honourable members of the House need not cherish the idea that this is an insignificant or a small occasion. It certainly is not. There is no point in minimising the gravity of the proceedings that have taken place yesterday and are taking place today. A vote of non-confidance sought to be moved against the accredited non-official leader of the House, against a person who by virtue of his position occupies the position of the formal non-official leader of the Legislature, a motion of no-confidence moved against him is not a small matter. And I feel sure that that motion would not have been made, and would not be persisted in, save with a sense of that responsibility which animates you and me and all of us alike in the discharge of the duties that we owe to our Sovereign as whose servants or subjects we are performing our tasks in our several spheres.

It has been stated that the Statute law as to the Deputy President is confined to one Section and that therefore there are no rules and no canons to guide the House. That is all the greater reason that this House should set up and jealously safeguard and maintain such precedents and conventions. As we are in the habit of citing the authority of the House of Commons, the mother of Parliaments, let it be realised that the mother of Parliaments is guided by some Standing Orders, though by no statute, and the whole of the wisdom of the ages as to the practice and procedure of Parliament is embodied in canons and conventions and unwritten laws. The statute itself is just a sign-post, just an indication; the whole tradition of the House is built up by precedents and conventions. And the question before the

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[President.]

House today is, what are the conventions guiding and regulating the Deputy President in the discharge of his duties. It is true as the Deputy President in his concluding speech said that there has not been laid down in this House any definite convention, any definite rule, in relation to the conduct of the Deputy President. It may be as was pointed out, I have not verified the instances, that on certain occasions certain Deputy Presidents infringed such conventions or travelled beyond those conventions. If they have done so, it is the duty and the right of this House definitely to say that what was done was wrong and to prescribe different conventions or canons. The question is whether this House now that the point has come up before the House is going to lay down any such conventions. In addition to what I have already said regarding the building up of convention let us remember this; that the importance and significance of this House in the scheme of polity in the State lies in this that albeit it is essentially an advisory body, yet it has specific jurisdiction in financial and other matters. Although it is perfectly true to say that this House cannot wield the powers of a responsible legislature in the sense that it can translate that responsibility into executive authority, nevertheless it is the function of this House to safeguard and maintain certain very important rights and privileges. This House has the right and duty to exercise on Government its persuasive influence and its moral authority so as to make the Government responsive, though not legally and constitutionally responsible, to its demands and prayers. As will be observed from a recent ruling of the Chair, it is not the intention of His Highness' Government to allow discussion on the question of the immediate establishment of responsible Government in Travancore. This means that this House will have to continue as a factor exercising moral influence and legitimate political pressure and bringing to bear upon the Government of the country the weight of its advisory capacity. All the more necessary is it that the traditions of the House must be observed and maintained because it is only to the extent to which the moral authority of this House is preserved that it can be demonstrated that this House is a factor to be reckoned with.

Having said that, I come to deal with the exact subject matter of this resolution. The resolution is worded as follows :—

"That this House is of opinion that it has no confidence in the Deputy President".

So far as I can see, the discussion on the resolution has extensively turned upon certain sentences in a speech delivered by the Deputy President outside this House in connection with certain political celebrations. I do not think it would be fair or accurate to conceal from this House and from the country that there may be two opinions and there may have been, there have been, and there will continue to be two opinions as to the expediency and the wisdom of such celebrations and the mode in which they were conducted wherein were attributed to a particular person a regal or semi-regal functions and position. That

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person has had the misfortune of being convicted of sedition and his sentence was remitted, his offence not being pardoned. The distinction is very real indeed. There may be two opinions in regard to the conducting and managing of those celebrations, managing them in such a way as to give that man a quasi-regal position and comparing him to a *Chakravarti* or to Napoleon returning after exile as a conqueror. But now we are not directly concerned with those celebrations; we are not concerned with what was done by Mr. Kesavan or anybody else. We are concerned with what the Deputy President of this House did on a particular occasion. I shall deal with the speech itself which has been referred to. It says or purports to say "I once again congratulate Mr. Kesavan"—if my translation is wrong, I may be corrected—"I once again congratulate Mr. Kesavan on behalf of 51 lakhs of people for his selfless service." Ordinarily this will mean that he is acting or speaking on behalf of the entire population of the State. He cannot do this save as Deputy President and non-official leader of the Legislature. Now I take it that the Deputy President has in his speech endeavoured to make it plain that his intention was not to speak on behalf of the 51 lakhs but that the 51 lakhs were to be served by Mr. Kesavan. If that is so, it may be a case of mis-reporting. If any honourable member of the House will tell the House that his speech was mis-reported then of course our task might be different. I pause for an answer.

MR. T. M. VARUGHESE: May I know, Sir, whether you are referring to the speech at Alleppey?

PRESIDENT: Yes. If what is said is that the Deputy President did not mean to say what is alleged and did not utter any such words then the honourable member's words will be accepted.

MR. T. M. VARUGHESE: I am glad the President has brought to my notice the passage. It runs as follows:

"നിസ്വാർത്ഥമായ പൊതുജനസേവനത്തിനും തിരുവിതാംകൂറിലെ അമ്പത്തൊന്നു ലക്ഷം ജനങ്ങൾക്കുംവേണ്ടി ഞാൻ മി. കേശവനെ ഒന്നുകൂടി അഭിനന്ദിക്കുന്നു."

So far as I can read from the passage that has been shown to me, I think that it would be clearly wrong to translate "അഭിനന്ദിക്കുന്നു" into "welcoming". I cannot say whether those were the words I used.

PRESIDENT: The Deputy President and all the honourable members of the House may take it from me that in regard to their conduct *vis-a-vis* each other, if an honourable member says that he has been mis-reported or mis-interpreted, that statement will be taken at its full face value. But if the statement contained there is correct, then I shall have something to say in regard to it.

MR. T. M. VARUGHESE: All that I have to say in regard to what is contained there is that the word "അഭിനന്ദിക്കുന്നു" cannot be interpreted as meaning "welcoming". I admit I do not remember the exact words I used. I did welcome Mr. Kesavan and said words which would mean that I welcomed him. The word "അഭിനന്ദിക്കുന്നു" would mean "congratulate." If the speech is read as a whole my meaning will be clear.

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[Mr. T. M. Varughese,]

After expressing words of welcome at the earlier part of my speech I may have repeated the same idea towards the close of my speech since I say "ഒന്നുകൂടി", or I may have offered my congratulations to him.

In regard to the Malayalam word "വേണ്ടി" that stands for "for" as also for "on behalf of." It is capable of both meanings. I really intended to welcome him *for* or *in the interests of* the 51 lakhs of people, so that he may hereafter work for the entire population of the country instead of for a particular section or sections as he was till then doing. That is all I can possibly say about it now; I do not remember the exact words.

PRESIDENT: I take it that the position in regard to the Alleppey speech, according to the version of the honourable member who spoke last is that he did not intend to welcome Mr. Kesavan on behalf of the 51 lakhs of people of Travancore but that he invited him to work or to do service for the 51 lakhs. If that was so, the language that has been used, as reported is very unfortunate. If the honourable member can assert—as he has asserted—that his only intention was to speak, not on behalf of the 51 lakhs, with the intention or meaning that he now gives to the words occurring in the report, it is for the House to accept his statement or not.

There is just something more. It has been urged in support of the motion that, after the sentence in question was uttered by the Deputy President at the Alleppey meeting, his pointed attention was drawn, in the public press, to the effect of that sentence and that, thereafter, in a speech at Quilon, he reiterated the same sentence, more or less. In regard to that allegation, I should like to hear what the Deputy President has to say. I pause for an answer.

MR. T. M. VARUGHESE: I tried, in the course of my speech to refer to that matter also. For what Mr. Kunju said, I need not hold myself responsible. But, so far as I am concerned, whatever be the words I used, my idea was the same both at Alleppey and at Quilon, *viz.*, to welcome Mr. Kesavan to work for the 51 lakhs of people, not that I represented or had the authority to represent the 51 lakhs of people in so welcoming him. I *claim* there was nothing improper in welcoming him as I did even taking it that the version appearing in the newspaper report is correct. I have already explained my other grounds.

PRESIDENT: With regard to the Quilon speech, I take it that what the Deputy President wishes to convey is that, as in his Alleppey speech so in his Quilon speech, he did not intend to welcome Mr. Kesavan on behalf of the 51 lakhs, but only invited him to do good work for the 51 lakhs. There is a world of difference between the one sentiment and the other.

Now, this is the issue before the House. It has been argued that a mountain is being made out of a molehill; it may be said that it is nothing more than a quarrel about words, mere quibbling. But the position is this. Although, in some quarters, there has been a tendency

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and an attempt to minimise the importance, the position and the status of the Deputy President, let me invite the attention of the House to the facts obtaining in Travancore at the present moment. The Deputy President is the only elected representative of the people of Travancore authorised to act as a *vinculam* between the Government and the people in certain matters. His salary, small or big, is not significant by reason of the amount; it is symbolic of the fact that he has some of the functions of Government in him, that he is somewhat of an official in addition to being the leading non-official. His is a unique position. A higher position, of course, would be that of an elected President of this House; but so long as the President of this House is a salaried servant of the Sovereign, from the non-official point of view, the preservation of the dignity, the traditions and conventions of the House is peculiarly within the jurisdiction of the Deputy President who ought to act as the spear-head of the House and,the exponent of such traditions. It was sometimes forgotten, in the course of the discussion on this matter, that the Deputy President has other functions to perform beyond coming and sitting in this Chair when the President is not here. While sitting in this Chair, the Deputy President can give rulings which might profoundly alter the course of what might be called political thought and conduct, in this House and also outside. He exercises, while presiding over the deliberations of this House all the powers of the President. There is therefore no point in minimising the importance of the Deputy President.

Now, what are the limitations, if any, upon the Deputy President's function and jurisdiction. Undoubtedly, as has been pointed out by more than one speaker, he has the right to participate in the work of the Assembly, when he does not occupy this Chair. No tradition, no convention has grown up, has been established, with the object of curtailing that right. He takes part, and speaks, and votes as every other member of the House. All the same, there are certain obvious limitations on his position; and such limitations relate to the dignity and decorum of this House, and to his position *vis a vis* the Government; such limitations will have gradually to be built up as a body of laws and conventions.

So far as activities outside are concerned, he may have his political and other activities; only the extent, the degree of such activities will depend upon the fact that besides being possibly the head or member of a political organisation, he has vested in him also the confidence of the elected members and also of the nominated members, official and non-official. From the point of view of the State, he has certain definite and superior duties which may, on many occasions, override his rights and duties as a political entity. These are matters which cannot be laid down in Sections of the Statute. As the President of this House, I feel that the Deputy President ought not to have used words capable of different interpretations or misinterpretations, ought not to have used words which might give room for others to allege that he spoke on behalf of 51 lakhs when he had no right, so to speak, on such an occasion, and with reference to such a topic.

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[President.]

Now, the Deputy President says that he said or intended something very different; to my mind, almost contrary to what an ordinary reading of the sentence would convey, contrary to what the words would normally convey. If he has been misreported or misinterpreted, and if he says so, it is for the House to decide whether it will take that assurance or not. It will now proceed to exercise its great duty, to perform the delicate and difficult task with which it is confronted.

MR. P. SIVARAMA PILLAI (*Minachil* cum *Todupuzha*): By way of reply, I have not very much to say. Some of the honourable members said that the motion is the result of a deeply laid plot. I can assure the House, on behalf of my party and on my own behalf that, till I read the report of the proceedings of the Alleppey meeting, I did not even dream of a motion like this.

I have nothing more to add. I press the motion.

PRESIDENT: The House will now adjourn and meet again at 11·30.

The House adjourned at 11·15 A. M. and re-assembled at 11·30 A. M.

PRESIDENT: Does the Deputy President wish to say anything?

MR. T. M. VARUGHESE: In view of the statement made by the mover that he is pressing his motion, in my opinion the situation does not call for any further remarks or statements from me either by way of supplementing my previous statements or by way of adducing additional arguments in defence of my position. I would only add that I have already mentioned for the consideration of the House all that I meant to say and all that I said and all that I intended to convey by the expressions that I used. All that I emphasise further is that my position as Deputy President I did not avail myself of in my speech, what ever be the expressions I may have made use of and whatever be the idea conveyed. If this Honourable House were to decide that I transgressed the legitimate limits that were allowed to me by convention or rules by abusing the privileges of the House all I can finally say in reply is that I never used such privileges, much less abused hem, for the purpose of my speech. If I were to say more than that, I would practically render myself useless for the service of this House, useless to the public and to myself. I have to satisfy my conscience and depend upon my own conviction more than anything else. The Honourable House will execuse me when I repeat that I would otherwise be useless even as a Deputy President. All that I have to and in defence of my position is that I have placed before the House my arguments and my statements for its consideration, for a dispassionate consideration If I were to add anything more or anything different with a view to retain the Deputy President's place I shall, for purposes inside the House or outside it render myself useless and unserviceable as a man moving among men. It was for the purpose of avoiding avoidable misgivings if any, that I thought it necessary to attempt to vindicate myself. If

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the House thinks that I have done anything unmanly, throw me out. If the House again thinks that I have done anything by which it may be considered that I have transgressed the limits allowable to me and if it is found that deliberately, intentionally and for the purpose of wounding the feelings of a majority of the honourable members I have been departing from the conventions that may have been even indirectly or by implication laid down and I have thereby done anything that may be derogatory to the dignity and prestige of the House, it is open to the House to throw me out. All I can say in conclusion is that I did not intend to do anything of the kind and my actions from my point of view and according to the interpretation I put upon them are not capable of any such construction. I place the matter for the dispassionate consideration of the House.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : പ്രസിഡന്റ് അവർകളുടെ വിളിഞ്ഞനുസരിച്ച മേലാൽ സഭയിൽ വിശ്വാസമായിട്ടിരിക്കാമെന്ന വെച്ചുപൂട്ടി പ്രസിഡന്റ സമ്മതിക്കുന്നപക്ഷം ഈ പ്രമേയം വോട്ടിനിടണമോ എന്നു ഞാൻ മുമ്പോട്ട അപേക്ഷിക്കുന്നു.

MR. E. JOHN PHILIPOSE (*Tiruvalla*) : Has the President given a ruling on this point?

PRESIDENT : No, I made a speech. Honourable members will realise that I invoked the exact standing order in which it is stated that the President may address the Assemby. I have addressed it. It is not as a person who gave a ruling that I addressed it but it is as a member of the House who under certain circumstances is given the privilege of addressing the House that I addressed the House. It is not a ruling that I gave.

MR. T. M. VARUGHESE : In answer to the question that has been so kindly put forward by the Honourable member and allowed by the Chair—

PRESIDENT : I do not allow the irrelevancies in that speech.

MR. T. M. VARUGHESE : May I answer?

PRESIDENT : Yes.

MR. T. M. VARUGHESE : In view of the fact that I am allowed to speak I would add a word. Whether I would hereafter conform to the rules and regulations that may be laid down does not admit of any question. If I want to remain as Deputy President I shall have to conform to them. There can be no question about that. It will then be with open eyes that I choose to continue as Deputy President, under the rules and the regulations relating to that office. If, however, I find it may not be possible for me to remain as Deputy President under those rules and regulations, and with those limitations, I would inform the honourable members that I should be relieved of the duties and privileges of that office or place. If as a matter of fact anybody informally had told me that a particular action or proposed action of mine was wrong or was likely to offend the feelings of this House, the question

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[T. M. Varughese.]

might then arise whether I would have persisted in it. As I tried to explain, there was no occasion on which I was informed or could be taken to have been informed about the opinion of the House directly or indirectly, formally or informally. I may still have acted upon my own judgment which may perhaps be wrong. That is a different matter. I say if any rules are made regarding the conduct of the Deputy President, then I am in honour, and in law, bound to obey them if I want to occupy that position. No promise of any kind is necessary or relevant. In fact, I for one, as a member of this Assembly, would desire and desire very ardently that, though hard and fast rules are not made, a definite understanding may be evolved as to what the limits of the Deputy President are, what the extent of his powers is, how far he can go, which way he may proceed and whether he is strictly justified in interesting himself in political activities outside or not. This I think is a matter that can be clearly and without any room for misunderstanding laid down by the House. I would in my capacity as a member of this House request this House to see that such rules are hereafter laid down for the guidance of all the members and the future Deputy President, whoever that Deputy President be, so that he may not be labouring under any misapprehension or misunderstanding as to the powers, the legitimate duties and rights, and, more than all, the limitations of that office If we do so there shall not arise room for any misunderstanding or for any such apparently unwholesome event as we are now confronted with in the future history of this House. That is all I have to add. I leave it again to the House.

MR. P. SIVARAMA PILLAI: Sir, I press the motion to a division.

The motion was put to vote and carried.

MR. K. T. THOMAS: I demand a poll.

A poll was taken and the House divided as follows —

AYES—42.

1 Mr. G. B. E. Truscott	11 Mr. S. Krishna Aiyar
2 ,, M. Govinda Pillai	12 ,, T. T. Kesavan Sastri
3 Rao Bahadur A Rangaswami Aiyar	13 ,, M. L. Janardana Pillai
4 Mr. K. Parameswara Panikkar	14 Srimati K. Devaki Antarjanam
5 Rao Bahadur Rajyasevanirata Dr. N. Kunjan Pillai	15 Mr. K. C. Karunakaran
6 Mr. Kayalam Paramesvaran Pillai	16 ,, P. C. Adichan
7 ,, C. Kumara Das	17 ,, Codiveetil C. Raman Kunju
8 ,, C. O. Madhavan	18 ,, Kochukunju
9 ,, C. V. Chandrasekharan	19 ,, N. John Joseph
10 ,, James Simpson	20 Sahib Bahadur V. Chandamiah

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21	Mr.	N. Velu Achari	32	Mr.	S. Chattanatha Karayalar
22	,,	Puthupalli S. Krishna Pillai	33	,,	J. E. A. Pereira
23	,,	E. E. Pandarathil	34	,,	T. C. Kesava Pillai
24	,,	S. Nilacanta Pillai	35	,,	M. Ramiah Pillai
25	,,	T. P. Velayudhan Pillai	36	,,	A. Thanu Pillai
26	,,	R. Narayanan Namboori	37	,,	D. Francis
27	,,	P. Sivarama Pillai	38	,,	K. N. Narayanaperumal Nadar
28	,,	M. L. D'cruz	39	,,	P. Vivekanandam
29	,,	S. Narayana Pillai	40	,,	E. Subramonia Aiyar
30	,,	M. Sivatanu Pillai	41	,,	N. Narayana Kurup
31	,,	Kinikkara M. Padmanabha Pillai	42	,,	K. G. Kunjukrishna Pillai

NOES.—24.

1	Mr.	M. V. Joseph	14	Mr.	C. Jebamony Nadar
2	,,	V. K. Velayudhan	15	,,	G. P. Nilakanta Pillai
3	,,	E. John Philipose	16	,,	M. K. Mackar Pillai
4	,,	E. P. Varghese	17	,,	K. P. Kochukoratharakan
5	,,	P. K. Kunju	18	,,	P. Kunjukrishnan
6	,,	Tariathu Kunjittommen	19	,,	M. G. Mathew
7	,,	P. Nanoo	20	,,	K. Kesavan
8	,,	K. T. Thomas	21	,,	Kannara Gopala Panickar
9	,,	P. J. Sebastian	22	,,	Kottalil P. Abraham
10	,,	K. R. Narayanan	23	,,	P. V. Mathai Chemparathy
11	,,	P. K. Kumaran	24	,,	Joseph Vithayathil
12	,,	K. M. Eapen			
13	,,	M. Kesava Panickar			

NEUTRALS—2.

1	Mr.	J. W. Tolson	2	Mr.	T. M. Varughese

The motion was declared carried.

MEMBERS SWORN.

The following members took the oath and signed the Rolls :

1. Mr. K. George.
2. Vastuvidyakusala C. Balakrishna Rao.
3. Mr. G. Nilakantan.
4. Mr. K. N. Janardanan Achari.

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